

*Model for Letters of Request recommended for use in applying the Hague Convention of
18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters*

**Request for International Judicial Assistance pursuant to the Hague Convention of
18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters**

N.B. Under the first paragraph of Article 4, the Letter of Request shall be in the language of the authority requested to execute it or be accompanied by a translation into that language. However, the provisions of the second and third paragraphs may permit use of English, French or another language.

In order to avoid confusion, please spell out the name of the month in each date.

Please fill out an original and one copy of this form (use additional space if required).

1. Sender

Dianne Elderkin, Esq.
Akin, Gump, Strauss, Hauer & Feld LLP
Two Commerce Square
2001 Market Street
Suite 4100
Philadelphia, Pennsylvania 19103-7013

2. Central Authority of
the Requested State

The Central Authority in England and Wales
Foreign and Commonwealth Office
Clive House Petty France
London SW1, England, United Kingdom

3. Person to whom the
executed request is
to be returned

Dianne Elderkin, Esq.
Akin, Gump, Strauss, Hauer & Feld LLP
Two Commerce Square
2001 Market Street
Suite 4100
Philadelphia, Pennsylvania 19103-7013

4. Specification of the date by which the requesting authority requires receipt of the
response to the Letter of Request

Date

As soon as practicable.

Reason for urgency*

The fact discovery deadline is February 11, 2011
pursuant the Court's order in Civil Action No.
4:09-cv-11340-FDS, in the United States Court for the
District of Massachusetts.

* Omit if not applicable.

IN CONFORMITY WITH ARTICLE 3 OF THE CONVENTION, THE UNDERSIGNED
 APPLICANT HAS THE HONOUR TO SUBMIT THE FOLLOWING REQUEST:

| | | |
|---|--|--|
| 5. a | Requesting judicial authority (Article 3, a)) | United States District Court for the District of Massachusetts, United States of America. |
| b | To the competent authority of (Article 3, a)) | The Central Authority in England and Wales Foreign and Commonwealth Office Clive House Petty France London SW1, England, UK |
| c | Names of the case and any identifying number | Abbott GMBH & Co., KG, and Abbott Bioresearch Center, Inc., and Abbott Biotechnology Ltd. v. Centocor Ortho Biotech, Inc. and Centocor Biologics, LLC, Civil Action No. 4:09-cv-11340-FDS (D. Mass.). |
| 6. Names and addresses of the parties and their representa- tives (including representa- tives in the requested State*) (Article 3, b)) | | |
| a | Plaintiff | Abbott GMBH & Co., KG, and Abbott Bioresearch Center, Inc., and Abbott Biotechnology Ltd. |
| | Representatives | William F. Lee, Robert J. Gunther, Jr., Jane M. Love, Amy Wigmore, and William W. Kim of Wilmer Culter Pickering Hale and Dorr LLP. |
| b | Defendant | Centocor Ortho Biotech, Inc. and Centocor Biologics, LLC. |
| | Representatives | Dianne Elderkin, Barbara Mullin, Steve Maslowski, Angela Verrecchio, Matthew Pearson, Emily Johnson, and Domingo Llgostera of Akin Gump Strauss Hauer & Feld LLP. |
| c | Other parties | |
| | Representatives | |

* Omit if not applicable.

| | | |
|------|---|--|
| 7. a | Nature of the proceedings (divorce, paternity, breach of contract, product liability, etc.) (Article 3, c)) | Patent infringement. |
| b | Summary of complaint | Abbott alleges that Centocor infringes United States Patent Nos. 6,914,128 and 7,504,485 by making, using, offering for sale, and/or selling its Stelara product in the United States. |
| c | Summary of defence and counterclaim* | Centocor asserts that Abbott failed to state a claim upon which relief may be granted, and that the claims of the '128 and '485 patents are invalid and not infringed under the United States Patent Laws. Centocor counterclaims for declarations of noninfringement and invalidity of the claims of the asserted patents pursuant to 28 U.S.C. §§ 2201 and 2202. |
| d | Other necessary information or documents* | |
| 8. a | Evidence to be obtained or other judicial act to be performed (Article 3, d)) | Deposition testimony. |
| b | Purpose of the evidence or judicial act sought | To defend against Abbott's infringement charges, and to support Centocor's defenses and counterclaims of noninfringement and invalidity. |
| 9. | Identity and address of any person to be examined (Article 3, e))* | Sara Carmen & John Gawain Elvin, Cambridge Antibody Technologies, Inc./MedImmune Ltd., Milstein Building, Granta Park, Cambridge, CB21 6GH, United Kingdom. |
| 10. | Questions to be put to the persons to be examined or statement of the subject-matter about which they are to be examined (Article 3, f))* | Please see the statement of subject matter about which the witnesses are to be examined, attached as Exhibit A-1. It is kindly requested that Centocor's counsel will be permitted to ask supplemental questions to the witnesses in addition to the questions set forth in Exhibit A-1. |

* Omit if not applicable.

11. Documents or other property to be inspected (Article 3, *g*))*

All laboratory notebooks, research data, notes, reports, internal memoranda, technical specifications, invention disclosures, inventor workbooks, inventor notebooks, inventor files, correspondence, articles, or publications concerning IL-12, a human antibody to IL-12, United States Patent No. 6,914,128, or United States Patent No. 7,504,485.

12. Any requirement that the evidence be given on oath or affirmation and any special form to be used (Article 3, *h*))*

An officer must administer an oath pursuant to United States Federal Rules of Civil Procedure 28 and/or 30.

13. Special methods or procedure to be followed (e.g. oral or in writing, verbatim, transcript or summary, cross-examination, etc.) (Articles 3, *i*) and 9)*

Pursuant to Rules 28 and 30 of the Federal Rules of Civil Procedure, Centocor requests to depose the witnesses by oral examination before a Notary Public or other officer authorized to administer oaths. Centocor also requests that the depositions be recorded stenographically and/or videotaped. Counsel is invited to cross-examine the witnesses.

14. Request for notification of the time and place for the execution of the Request and identity and address of any person to be notified (Article 7)*

15. Request for attendance or participation of judicial personnel of the requesting authority at the execution of the Letter of Request (Article 8)*

* Omit if not applicable.

16. Specification of privilege
or duty to refuse to give
evidence under the law of
the State of origin
(Article 11, b))*

17. The fees and costs incurred
which are reimbursable under
the second paragraph of
Article 14 or under
Article 26 of the Convention
will be borne by*

Centocor

DATE OF REQUEST

January 11, 2011

SIGNATURE AND SEAL OF THE
REQUESTING AUTHORITY

A. William S. Smith

Erase all entries

Print

* Omit if not applicable.

EXHIBIT A-1

**STATEMENT OF THE SUBJECT MATTER ABOUT WITNESSES SARA CARMEN
AND JOHN GAWAIN ELVIN ARE REQUESTED TO BE EXAMINED**

1. Would you please describe the details of your education, starting with university?
2. What subject or subjects did you study at University, and what degree or degrees did you obtain?
3. Have you obtained any advanced degree or degrees, and in what subject or subjects?
4. At what University did you receive any such advanced degree or degrees?
5. Please describe and explain any research you did while at University or during any post-University education.
6. Please describe and explain any research you performed related to antibodies.
7. Please describe and explain any research you performed related to receptor binding assays, PHA blast proliferation assays, interferon-gamma induction assays, and cell proliferations assays.
8. Please describe any research you performed related to receptor binding assays, PHA blast proliferation assays, interferon-gamma induction assays, and cell proliferations assays with respect to antibodies.
9. Are you listed as an inventor on any patents?
10. Are you listed as an inventor on any patent applications?
11. What were your inventive contributions to the inventions disclosed in United States Patent No. 6,914,128?
12. Please describe and explain your involvement with the work that led to United States Patent No. 6,914,128, including when your involvement commenced.
13. Did you take any steps to record your work that led to United States Patent No. 6,914,128?
14. Did you keep a lab notebook to record your work that led to United States Patent No. 6,914,128?
15. Where is the lab notebook located today?
16. What were your inventive contributions to the inventions disclosed in United States Patent No. 7,504,485?
17. Please describe and explain your involvement with the work that led to United States Patent No. 7,504,485, including when your involvement commenced.
18. Did you take any steps to record your work that led to United States Patent No. 7,504,485?

19. Did you keep a lab notebook to record your work that led to United States Patent Nos. 7,504,485?
20. Where is the lab notebook located today?
21. On which scientific publications, if any, are you listed as an author?
22. Please describe and explain your involvement with the work that led to publication of the scientific articles.
23. Please describe your involvement with the work that led to publication of any other scientific publications on which you are listed as an author.
24. Please describe your employment history, including your job title(s) and duration of employment at each company or entity where you have worked, starting with your first job following University.
25. Please describe and explain your role and responsibilities at each company or entity where you have worked, starting with your first job following University.
26. What year did you start working at Cambridge Antibody Technologies?
27. Please describe every position you have held at Cambridge Antibody Technologies since you began working there, including your job title(s) and your role(s) and responsibilities under each title.
28. What is the name and job title of your immediate supervisor at Cambridge Antibody Technologies?
29. What is the name of the department or unit in which you currently work?
30. What are the names and job titles of any employees you supervise (or supervised) or oversee (or oversaw) at Cambridge Antibody Technologies?
31. Please describe and explain any work you have done related to IL-12 antibodies at Cambridge Antibody Technologies.
32. Are you aware of a company called BASF Bioresearch Corporation?
33. Please describe any communications, if any, that you personally have had with BASF Bioresearch Corporation relating to or referring to IL-12 antibodies, including the identity of the BASF Bioresearch Corporation employee(s) with whom you communicated.
34. Please explain the reason(s) for your communications with BASF Bioresearch Corporation.
35. When was the first time you communicated with BASF Bioresearch Corporation?

36. If you are aware of any other employee(s) of Cambridge Antibody Technologies who have had communications with any employees of BASF Bioresearch Corporation relating to or referring to IL-12 antibodies, please list the employees of both Cambridge Antibody Technologies and BASF Bioresearch Corporation who engaged in such communications.
37. When was the first time, if any, that any employee(s) of Cambridge Antibody Technologies engaged in any communications with any employee(s) of BASF Bioresearch Corporation?
38. Who is (was) the primary contact person at Cambridge Antibody Technologies for communications with BASF Bioresearch Corporation?
39. Who at BASF Bioresearch Corporation is (was) the primary contact person for any communications relating to or referring to IL-12 antibodies?
40. Please describe and explain any records of your communications with BASF Bioresearch Corporation, such as emails, written correspondence, faxes, meeting summaries, presentations, etc.
41. If you have you ever visited any BASF Bioresearch Corporation offices or facilities, please describe and explain the circumstances for such visit, including the purpose and conclusion of the visit.
42. Please describe and explain any communications you have ever had with any companies besides BASF Bioresearch Corporation relating to or referring to IL-12 antibodies or products being developed by BASF Bioresearch Corporation, and if so which companies.
43. Are you aware of a company called Genetics Institute?
44. Please describe any communications, if any, that you personally have had with Genetics Institute relating to or referring to IL-12 antibodies, including the identity of the BASF Bioresearch Corporation employee(s) with whom you communicated.
45. Please explain the reason(s) for your communications with Genetics Institute.
46. When was the first time you communicated with Genetics Institute?
47. If you are aware of any other employee(s) of Cambridge Antibody Technologies who have had communications with any employees of Genetics Institute relating to or referring to IL-12 antibodies, please list the employees of both Cambridge Antibody Technologies and Genetics Institute who engaged in such communications.
48. When was the first time, if any, that any employee(s) of Cambridge Antibody Technologies engaged in any communications with any employee(s) of Genetics Institute?
49. Who is (was) the primary contact person at Cambridge Antibody Technologies for communications with Genetics Institute?

50. Who at Genetics Institute is (was) the primary contact person for any communications relating to or referring to IL-12 antibodies?
51. Please describe and explain any records of your communications with Genetics Institute, such as emails, written correspondence, faxes, meeting summaries, presentations, etc.
52. If you have you ever visited any Genetics Institute offices or facilities, please describe and explain the circumstances for such visit, including the purpose and conclusion of the visit.
53. Please describe and explain any communications you have ever had with any companies besides Genetics Institute relating to or referring to IL-12 antibodies or products being developed by Genetics Institute, and if so which companies.
54. Would you please describe any communications, if any, that you personally have had with the following person: [John Gawain Elvin, Sara Carmen, Alexander Robert Duncan, Elaine Joy Derbyshire, Thor Las Holtet, Sarah Leila Du Fou, or Stephen Smith] relating to or referring to IL-12 antibodies?
55. Please explain the reason for your communications with the following person: [John Gawain Elvin, Sara Carmen, Alexander Robert Duncan, Elaine Joy Derbyshire, Thor Las Holtet, Sarah Leila Du Fou, or Stephen Smith].
56. When was the first time you communicated with the following person: [John Gawain Elvin, Sara Carmen, Alexander Robert Duncan, Elaine Joy Derbyshire, Thor Las Holtet, Sarah Leila Du Fou, or Stephen Smith]?
57. How often did you communicate with the following person: [John Gawain Elvin, Sara Carmen, Alexander Robert Duncan, Elaine Joy Derbyshire, Thor Las Holtet, Sarah Leila Du Fou, or Stephen Smith] relating to or referring to IL-12 antibodies?
58. Please describe the work that you performed with the following person: [John Gawain Elvin, Sara Carmen, Alexander Robert Duncan, Elaine Joy Derbyshire, Thor Las Holtet, Sarah Leila Du Fou, or Stephen Smith] relating to or referring to IL-12 antibodies.
59. Would you please describe any communications, if any, that you personally have had with the following person: [Jochen Salfeld, Michael Roguska, Michael Paskind, Subhashis Banerjee, Daniel Tracey, Michael White, Zehra Kaymakalan, Boris Labkovsky, or Paul Sakorafas] relating to or referring to IL-12 antibodies?
60. Please explain the reason for your communications with the following person: [Jochen Salfeld, Michael Roguska, Michael Paskind, Subhashis Banerjee, Daniel Tracey, Michael White, Zehra Kaymakalan, Boris Labkovsky, or Paul Sakorafas].
61. When was the first time you communicated with the following person: [Jochen Salfeld, Michael Roguska, Michael Paskind, Subhashis Banerjee, Daniel Tracey, Michael White, Zehra Kaymakalan, Boris Labkovsky, or Paul Sakorafas]?

62. How often did you communicate with the following person: [Jochen Salfeld, Michael Roguska, Michael Paskind, Subhashis Banerjee, Daniel Tracey, Michael White, Zehra Kaymakcalan, Boris Labkovsky, or Paul Sakorafas] relating to or referring to IL-12 antibodies?
63. Please describe the work that you performed with the following person: [Jochen Salfeld, Michael Roguska, Michael Paskind, Subhashis Banerjee, Daniel Tracey, Michael White, Zehra Kaymakcalan, Boris Labkovsky, or Paul Sakorafas] relating to or referring to IL-12 antibodies.
64. Would you please describe any communications, if any, that you personally have had with the following person: [Geertruida Veldman, Amy Venturini, Angela Widom, Stuart Friedrich, Nicholas Warne, or Angela Myles] relating to or referring to IL-12 antibodies?
65. Please explain the reason for your communications with the following person: [Geertruida Veldman, Amy Venturini, Angela Widom, Stuart Friedrich, Nicholas Warne, or Angela Myles].
66. When was the first time you communicated with the following person: [Geertruida Veldman, Amy Venturini, Angela Widom, Stuart Friedrich, Nicholas Warne, or Angela Myles]?
67. How often did you communicate with the following person: [Geertruida Veldman, Amy Venturini, Angela Widom, Stuart Friedrich, Nicholas Warne, or Angela Myles] relating to or referring to IL-12 antibodies?
68. Please describe the work that you performed with the following person: [Geertruida Veldman, Amy Venturini, Angela Widom, Stuart Friedrich, Nicholas Warne, or Angela Myles] relating to or referring to IL-12 antibodies.
69. Do (did) you routinely review patents, patent applications, or other patent documents as part of your job responsibilities at Cambridge Antibody Technologies?
70. Please describe and explain your familiarity or knowledge, if any, you have about the following patents: United States Patent Nos. 6,914,128 and 7,504,485.
71. Please explain how you became familiar with United States Patent Nos. 6,914,128 and 7,504,485.
72. Did you have any involvement in reviewing, signing, or submitting documents to the United States Patent Office referring to or relating to the inventions claimed in United States Patent Nos. 6,914,128 and 7,504,485?
73. Did you submit an invention disclosure?
74. Are you aware of any contract(s) between Cambridge Antibody Technologies and BASF Bioresearch Corporation relating to or referring to IL-12 antibodies?
75. Are you aware of any contract(s) between Cambridge Antibody Technologies and Genetics Institute relating to or referring to IL-12 antibodies?

76. Please describe and explain any contract, agreement, or relationship Cambridge Antibody Technologies has (or had) with BASF Bioresearch Corporation relating to or referring IL-12 antibodies.

77. Please describe and explain any contract, agreement, or relationship Cambridge Antibody Technologies has (or had) with Genetics Institute relating to or referring IL-12 antibodies.

78. Have you ever heard of a CAT manual, and if so, what is it, who created it and when was it created?

79. Did you participate in any way in an interference proceeding between Abbott and Centocor in the United States Patent Office relating to priority of invention of United States Patent No. 6,914,128?

80. If you participated in an interference proceeding between Abbott and Centocor in the United States Patent Office relating to priority of invention of United States Patent No. 6,914,128, please explain your role and contribution.